

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
)	
Communitel Global, S.A.)	File No. ITC-214-2003-
)	
Application for Global Authority Pursuant to)	
Section 214 of the Communications Act)	
of 1934, as amended, to Operate as an)	
International Facilities based and Resale Carrier)	
Between the United States and Various)	
International Points)	
)	

EXHIBIT 1 TO ON-LINE APPLICATION

Communitel Global, S.A.. (“Communitel” or “Applicant”), by its undersigned counsel, hereby requests global resale authority, under Section 214 of the Communications Act, (the “Act”), 47 U.S.C. § 214, and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points.

I. THE APPLICANT

Communitel is a corporation organized under the laws of Spain. The Applicant is not a foreign carrier and is not affiliated, within the meaning of Section 63.09(e), 47 C.F.R. § 63.09, of the Commission’s Rules, with any foreign carrier. Accordingly, the Applicant qualifies for the presumption of non-dominance under Section 43.10(a)(3) of the Commission’s Rules, 47 C.F.R. § 43.10(a)(3), and its application is eligible for streamlined processing.

II. PUBLIC INTEREST CONSIDERATIONS

By granting this application, the Commission will serve the public interest, convenience, and necessity by promoting competition in international services in the international service market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by grant of Section 214 authority to Communitel.

III. INFORMATION REQUIRED BY SECTION 63.18

Communitel submits the following information, as required by Section 63.18 of the Commission's Rules, in support of its request for Section 214 authorization.

- (a) Name, address, and telephone number of Applicant:

Communitel Global, S.A.
Zona Franca, Area Portuaria de Bouzas
36208 Vigo (Pontevedra)
Spain
Tel: 011-34-91-296-32-00
Fax: 011-34-91-296-32-22

- (b) Applicant is incorporated under the laws of Spain.

- (c) Correspondence concerning this Application should be sent to:

Michael J. Mendelson
Jones Day
51 Louisiana Avenue
Washington, DC 20001
Tel: (202) 879-3794
Fax: (202) 626-1700
E-mail: mjmendelson@jonesday.com

with a copy to:

Antonio Sueiras Zaurin
International Business Manager
Zona Franca, Area Portuaria de Bouzas
36208 Vigo (Pontevedra)
Spain

Tel: 011-34-91-296-32-19
Fax: 011-23-91-296-32-22
E-Mail: asueiras@communitel.es

- (d) Applicant has not previously received authority under Section 214 of the Act. Upon grant of this application, Communitel will become an authorized, non-dominant reseller with global authority, pursuant to Section 214 of the Act and the Commission's Rules.
- (e) Applicant request Section 214 Authority to operate as a facilities based and resale carrier pursuant to Sections 63.18(e)(1) and (e)(2) of the Commission's Rules. Communitel requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's Rules.
- (f) Applicant seeks the authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.
- (g) Information regarding Communitel's 10% or greater direct or indirect shareholders is as follows:

Name: Grupo ONI
Address: 29825 Bolingbrook Road
Cleveland, OH 44124
Portugal
Percentage Held: 100%
Citizenship: Portuguese
Principal Business: Telecommunications

Information regarding Grupo ONI's 10% or greater direct or indirect shareholders is as follows:

Name: E.D.P Electricidade de Portugal, S.A.
Address: Praça Marquês de Pombal, 12
1250-162 Lisbon, Portugal
Percentage Held: 56.025%
Citizenship: Portuguese
Principal Business: Electrical Utility
Name: BRISA Autoestradas de Portugal, S.A.
Address: Quinta da Torre de Aguilha
Edificio BRISA
2785-599 São Domingos de Rana, Portugal
Percentage Held: 17%
Citizenship: Portuguese
Principal Business: Road Construction

Name: Banco Commercial Portugues
Address: Rua Augusta, 62-96
1149-022 Lisbon, Portugal
Percentage Held: 16.188%
Citizenship: Portuguese
Principal Business: Investment Banking

Communitel certifies that it does not have any interlocking officers or directors.

- (h) Communitel certifies that it is a foreign carrier with operations in Spain. Communitel further certifies that it is not affiliated with any other foreign carrier.
- (i) Communitel seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. Communitel certifies that it is a foreign carrier with operations in Spain. Communitel further certifies that it is not affiliated with any other foreign carrier.
- (j) Communitel is a foreign carrier with operations in Spain. The identity of Communitel's direct and indirect owners are provided in paragraph III(g) of this application.
- (k) Communitel is a foreign carrier with operations in Spain. Spain is a member-country of the World Trade Organization. In Spain, Communitel lacks market power, as defined by the Commission's Rules. Spain provides effective competitive opportunities to U.S. carriers to compete in its market for facilities-based and resold switched services. U.S. carriers may obtain licenses in Spain to provide fixed and mobile, facilities-based and resale telecommunications, and IMTS services. The Spanish market has been fully liberalized since 1998. Reasonable and nondiscriminatory terms and conditions exist under Spanish law for interconnection to a Spanish carrier's facilities for termination and origination of international services and resale services. Furthermore, competitive safeguards exist under Spanish law to protect against anticompetitive practices. The Telecommunications Market Commission ("TMC") is the regulatory agency which has responsibility for oversight over telecommunications companies in Spain. The TMC is responsible for ensuring and enforcing compliance with competition laws and regulations in the telecommunications industry.
- (l) As described above, the Applicant presumptively qualifies for non-dominant treatment for the provision of all international telecommunications services.

- (m) The Applicant certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.
- (n) The Applicant certifies, pursuant to Section 1.2001 and 1.2003 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301), that no party to its application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (o) The Applicant qualifies for streamlined processing pursuant to Section 63.12(a-b) of the Commission's Rules because, as set forth above in Section (1), Communitel qualifies for a presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules.

III. CONCLUSION

For the reasons stated above, Communitel Global, S.A. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this application.

Respectfully submitted,

Delbert D. Smith
Michael J. Mendelson

Jones Day
51 Louisiana Avenue
Washington, DC 20001

Counsel for Communitel Global,

S.A.

February 13, 2003

CERTIFICATION OF APPLICANT

On behalf of Communitel Global, S.A., I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

COMMUNITEL GLOBAL, S.A.

By: _____

Name: _____

Title: _____

Date: _____